

Office of the Chapter 13 Standing Trustee

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April 6, 2020

The Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court
P.O. Box 2067
Camden, New Jersey 08102

RE: Chapter 13 Bankruptcy
Debtor(s) Name: Justin W. Derry
Case No: 19-25038 ABA
Hearing Date: N/A

Dear Judge Altenburg:

Please accept this letter as a limited objection to Mr. Cullari's April 26, 2021 Motion/Application for fees in the above referenced matter.

This case was filed on August 2, 2019. The Rules in effect at that time permitted a debtor's attorney to be paid a flat fee in a Chapter 13 case. D.N.J. LBR 2016-5. Thereafter, supplemental funds could be requested by motion accompanied by a Certification of Debtor's Counsel Supporting Supplemental Chapter 13 Fee. The amended rule allowing hourly billing in a Chapter 13 case took effect on August 1, 2018. The 2018 comments to the amended rule state that:

For cases filed or converted to Chapter 13 on or after the effective date of this Rule, the Court will no longer accept Local Forms, *Certification of Debtor's Counsel Supporting Supplemental Chapter 13 Fee* and *Order Granting Supplemental Chapter 13 Fees*. (underscored emphasis added)

The Trustee respectfully requests Debtor's counsel file an Amended Certification of Debtor's Counsel Supporting Chapter 13 Fee as well as a revised form of Order to conform with D.N.J. LBR 2016-5.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Respectfully submitted,

**OFFICE OF THE CHAPTER 13
STANDING TRUSTEE**

/s/ *Isabel C. Balboa*

ISABEL C. BALBOA
Chapter 13 Standing Trustee

ICB:lka

c: Francis P. Cullari, Esquire (Debtor(s) Attorney) (via Electronic Case Filing / ECF)
Justin W. Derry (Debtor) (via First Class Mail)